



COMPLIANCE REQUIREMENTS BY FUNCTIONAL AREA

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Home Mortgage Disclosure Act

Regulation C

12 CFR 203

Reporting Requirements

[Section 203.5(a)]

The lender must submit its complete loan application register (LAR) in the prescribed electronic format to the OTS by March 1 following the calendar year for which the loan data is compiled.

Equal Credit Opportunity Act

Regulation B

12 CFR 202

Reporting Credit Information

[Section 202.10]

A creditor reporting credit information to a consumer reporting agency or in response to a credit inquiry concerning an account designated to reflect the participation of both spouses, must furnish the information in a manner that enables access to or provides the information for the particular spouse in question.

Bank Secrecy Act

BSA Implementing Regulations

31 CFR 103

12 CFR 563.177 and 563.180

Currency Transaction Reports

[31 CFR 103.22]

The institution must file with the IRS a completed Currency Transaction Report (CTR) (IRS Form 4789) for each transaction in currency (deposit, withdrawal, exchange or other payment or transfer) of more than \$10,000 within 15 days after the date of the transaction. Multiple transactions totaling more than \$10,000 during any one business day are treated as a single transaction if the institution has knowledge that they are by or on behalf of any person. Certain types of currency transactions, such as those involving “exempt persons” or those generated by particular retail or commercial customers meeting specified criteria for exemption, need not be reported. However, designations of “exempt persons” are made by filing IRS Form 4789, with the appropriate information provided. The exemption filings vary by customer type as described in Section 103.22.

Note: For any transaction requiring a CTR, the institution must verify and record the name and address of the individual presenting the transaction, and record the identity, account



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number, and social security number (if any) of any person or entity on whose behalf the transaction is undertaken.

Currency and Monetary Instrument Report

[31 CFR 103.23]

The institution must file, with the appropriate U.S. Customs officer or the Commissioner of Customs, a completed Currency and Monetary Instrument Report (CMIR) (U.S. Customs Form 4790) for each shipment of currency or other monetary instrument(s) in excess of \$10,000 out of or into the U.S. except via the postal service or common carrier. For transport into or out of the U.S., the CMIR should be filed at the time of entry into or departure from the U.S. For receipt from outside the U.S. (where no report was filed), the CMIR should be filed within 15 days of receipt of the monetary instruments.

Reports of Foreign Financial Accounts

[31 CFR 103.24]

Each person subject to U.S. jurisdiction with a financial interest in, or signature authority over, a bank, securities, or other financial account in a foreign country must file a Report of Foreign Bank Financial Accounts (Treasury Form 90-22) concerning such relationship with the IRS on an annual basis.

Suspicious Activity Report

[31 CFR 103.21]

The institution must file a completed Suspicious Activity Report (OTS SAR Form 1601) for any transaction involving \$5,000 or more when the institution knows, suspects, or has reason to suspect that a transaction: (i) involves money laundering; (ii) is designed to evade regulations promulgated under the BSA; or (iii) has no business or apparent lawful purpose or is not the type that the customer would normally be expected to undertake. The SAR must be sent to the Financial Crimes Enforcement Network (FinCEN) at the Treasury Department within 30 days after the initial detection of facts giving rise to an SAR filing. (Note that if no suspect was initially identified, filing may be delayed for an additional 30 calendar days to identify a suspect).

Community Reinvestment Act

Regulation BB

12 CFR 563e

Reporting Requirements

[Section 563e.42(b)]

A “large” institution must report certain data annually by March 1 to the OTS in machine readable form covering: (1) all small business and small farm loans originated or purchased by the institution; (2) the aggregate number and dollar amount of community development loans originated or purchased; and (3) certain additional information for



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institutions subject to HMDA. The specific form of the data that must be submitted by the institution is described in detail in Section 563e.42.

Disclosure and Reporting of CRA-Related Agreements

12 CFR 533

CRA Sunshine Regulation

Filing of Annual Reports

[Section 533.7]

Each NGEP and each insured depository institution or affiliate that is a party to a covered agreement (entered into on or after May 12, 2000) must file an annual report with each relevant supervisory agency concerning the disbursement, receipt, and use of funds or other resources under the covered agreement(s), no later than six months following the end of the fiscal year covered by the report. The annual report must include the information specified in 533.7(d) and (e).



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